

APPEAL NO. 041228
FILED JULY 19, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 28, 2004. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____, and that the appellant (self-insured) is not relieved from liability under Section 409.002 because of the claimant's alleged failure to notify her employer pursuant to Section 409.001. The self-insured appealed, arguing that the hearing officer's determinations are against the great weight and preponderance of the evidence and further asserts that the hearing officer erred in not including a date of injury issue. The claimant responded, urging affirmance of the hearing officer's determinations and asserted that the date of injury issue is subsumed within the timely reporting issue.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**CITY SECRETARY
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Veronica L. Ruberto
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Margaret L. Turner
Appeals Judge